

To: The Honorable Chuck McGrady
The Honorable Andrew C. Brock
Working Group Leaders, Environmental Review Commission

From: North Carolina Sedimentation Control Commission

Subject: Comments related to local environmental regulations received from local governments administering delegated erosion and sedimentation control programs

The Sedimentation Control Commission (Commission) delegates authority to administer and enforce the Sedimentation Pollution Control Act to local governments that submit an erosion and sedimentation control program. As a condition of that delegation, the local government must adopt a local sedimentation ordinance that is at least as strict as the Sedimentation Pollution Control Act.

Recently, the Commission received a number of comments from local governments with delegated programs regarding the authority of local governments to enact environmental ordinances. The Commission believes the comments received may be relevant to the Environmental Review Commission's study pursuant to Section 10.2(c) of Session Law 2013-413. Staff for the Commission compiled the comments into a memorandum to Director of the Division of Energy, Mineral, and Land Resources, a copy of which is attached.

The Commission fully supports the local governments that administer erosion and sedimentation control programs and recognizes the vital role that local programs play in the administration of the Sedimentation Pollution Control Act; however, the opinions expressed and compiled in the attached memorandum are solely those of the local program staff members that submitted comments.

Robin K. Smith

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Chair
N.C. Sedimentation Control Commission

